

AMENDED IN ASSEMBLY JULY 14, 2011

AMENDED IN SENATE APRIL 25, 2011

SENATE BILL

No. 249

Introduced by Senator Yee
(Principal coauthor: Assembly Member Ma)

February 10, 2011

An act to add Section 4132 to the Food and Agricultural Code, relating to district agricultural associations.

LEGISLATIVE COUNSEL'S DIGEST

SB 249, as amended, Yee. District agricultural associations: 1-A District Agricultural Association: ~~membership.~~ *facilities.*

Existing law divides the state into district agricultural associations for the purposes of, among other things, holding fairs and expositions exhibiting all of the industries and industrial enterprises, resources, and products of every kind or nature of the state with a view toward improving, exploiting, encouraging, and stimulating those industries. Existing law provides that the 1-A District Agricultural Association *is governs the agricultural district that encompasses* the County of San Mateo and the City and County of San Francisco. ~~Existing law provides that the term of office of each director of an agricultural association is 4 years, except as specified, provides for the staggering of terms, and requires directors to be appointed by the Governor.~~

~~This bill would require that for the directors of the 1-A District Agricultural Association, 2 directors be appointed by the Governor, unless the Mayor of San Francisco elects to exercise that authority, as specified, 2 directors be appointed by the Governor, unless the Mayor of Daly City elects to exercise that authority, as specified, and 5 directors be appointed by the Governor. Once those appointments have been~~

~~made, when there is a vacancy on the board, a successor would be appointed in the same manner as was his or her predecessor. the I-A District Agricultural Association, 30 days before final approval of the use of a facility that is owned or leased by the association by any exhibitor that is not a public entity, to submit to the City and County of San Francisco, the City of Daly City, and the San Mateo County Manager a complete and detailed written description of the proposed event, including a specified risk assessment. The bill would require the association to include in the contract with the exhibitor, or as an addendum to a contract, a provision requiring the exhibitor to assume all financial liability for the event. The bill would also require that the exhibitor reimburse the jurisdictions surrounding the facility for the actual costs of emergency services incurred as a result of or caused by the event held at the facility. The bill would also require the association to enforce this bill by requiring a sufficient security bond or other guarantees from the exhibitor that are acceptable to the jurisdictions surrounding the facility and the board of the association.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4132 is added to the Food and
- 2 Agricultural Code, to read:
- 3 4132. (a) *The I-A District Agricultural Association shall, 30*
- 4 *days before final approval of the use of a facility that is owned or*
- 5 *leased by the I-A District Agricultural Association by any exhibitor*
- 6 *that is not a public entity, submit to the City and County of San*
- 7 *Francisco, the City of Daly City, and the San Mateo County*
- 8 *Manager a complete and detailed written description of the*
- 9 *proposed event. The written description shall include a risk*
- 10 *assessment of possible financial burdens relative to providing*
- 11 *emergency services that may be placed upon any of the*
- 12 *jurisdictions surrounding the facility.*
- 13 (b) *In the contract between the association and the exhibitor,*
- 14 *or as an addendum to a contract, the I-A District Agricultural*
- 15 *Association shall include a provision in which the exhibitor*
- 16 *assumes all financial liability for the event held at the facility.*
- 17 (c) *The exhibitor shall reimburse the jurisdictions surrounding*
- 18 *the facility for the actual costs of emergency services incurred as*

1 *a result of or caused by the event held at the facility. The 1-A*
2 *District Agricultural Association shall enforce this section by*
3 *requiring a sufficient security bond or other guarantees from the*
4 *exhibitor that are acceptable to the jurisdictions surrounding the*
5 *facility and the board of the 1-A District Agricultural Association.*

6 ~~SECTION 1. Section 4132 is added to the Food and~~
7 ~~Agricultural Code, to read:~~

8 ~~4132. (a) The board of directors of the 1-A District Agricultural~~
9 ~~Association shall consist of nine members, and, notwithstanding~~
10 ~~Section 3959, shall be appointed as follows:~~

11 ~~(1) Five members appointed by the Governor.~~

12 ~~(2) Two members appointed by the Governor, unless the Mayor~~
13 ~~of San Francisco, within 30 days after the vacancy arises, elects~~
14 ~~to exercise that authority, notifies the Governor during that 30-day~~
15 ~~period of his or her decision, and actually makes the appointments,~~
16 ~~in which case the mayor is authorized to appoint those members.~~

17 ~~(3) Two members appointed by the Governor, unless the Mayor~~
18 ~~of Daly City, within 30 days after the vacancy arises, elects to~~
19 ~~exercise that authority, notifies the Governor during that 30-day~~
20 ~~period of his or her decision, and actually makes the appointments,~~
21 ~~in which case the mayor is authorized to appoint those members.~~

22 ~~(b) (1) Appointments shall be made as vacancies occur and no~~
23 ~~person shall be appointed to serve on the board of directors of the~~
24 ~~1-A District Agricultural Association who is not a person specified~~
25 ~~in paragraph (2) or (3) of subdivision (a) until the requirements in~~
26 ~~those paragraphs have been met. This section shall not be construed~~
27 ~~to limit the term of any member of the board of directors of the~~
28 ~~1-A District Agricultural Association who is a director at the time~~
29 ~~this section becomes effective.~~

30 ~~(2) After the requirements in paragraphs (2) and (3) of~~
31 ~~subdivision (a) have been met, when there is a vacancy on the~~
32 ~~board, a successor shall be appointed in the same manner as was~~
33 ~~his or her predecessor.~~